



## **H.R. 1759 – Managing Arson Through Criminal History (MATCH) Act of 2007**

### **FLOOR SITUATION**

H.R. 1759 is being considered on the floor by suspending the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Mary Bono (R-CA) on March 29, 2007. The Judiciary Committee approved the bill, as amended, by voice vote on November 7, 2007.

H.R. 1759 is expected to be considered on December 5, 2007.

### **SUMMARY**

Arsonist Registration and Notification Program: The bill establishes guidelines and incentives for States to establish and maintain an arsonist database before the later of either 1) 3 years of enactment or 2) 1 year after the software is made available by the Department of Justice.

If States fail to substantially implement this system, they would be penalized by withholding 10% of assistance from Justice Department Byrne Law Enforcement Assistance Programs. The Attorney General may grant up to 2 one-year extensions for this deadline. There is also flexibility provided to States in which provisions of the database violate its constitution.

States must make this database available on the internet for fire safety and law enforcement officials (not the general public).

Requirements for Arsonists: Criminal arsonists are required to register with their State and keep their personal information up-to-date. Once a year, arsonists are required to check in with the appropriate officials to provide a photograph and verify current information. The information to be provided includes: 1) name; 2) Social Security Number; 3) address; 4) employer address; 5) school address; and 6) license plate number and vehicle description.

The bill requires States to provide criminal penalties, with a maximum prison term of at least one year, for arsonists that fail to comply.

Requirements for States: States must maintain 1) a physical description of the arsonist; 2) description of arson crime committed; 3) criminal history; 4) current photograph; 5) fingerprints and palm prints; and 6) a copy of driver's license. Arsonists must also be notified and informed by the appropriate official regarding his or her registration duties.

Period of Registration: Arsonists must be registered in the database for 1) 5 years following the first conviction; 2) 10 years following the second conviction; and 3) for life if convicted more than twice. The bill provides a process for juveniles, who are tried as adults, to expunge their registration.

National Criminal Arsonist Registry: The Attorney General shall maintain a national database at the Bureau of Alcohol, Tobacco, Firearms and Explosives. This database must be searchable via zip code or geographical radius and must be available on the internet for fire safety and law enforcement officials (not the general public). States must notify the Attorney General and appropriate State and law enforcement officials after criminal arsonists register or update a registration as well as when arsonists fail to comply with the requirements.

Additionally, the Attorney General must develop software within two years that enables States to establish and operate uniform databases and Internet websites.

Criminal Arsonist Management Assistance Program: The bill establishes a Criminal Arsonist Management Assistance program at the Department of Justice to provide grants to States to offset the cost of developing arsonist registries. States are also eligible for “bonus” grants under this section for substantially implementing the registry within 2 years. It authorizes such sums as may be necessary for this program for fiscal years 2009 through 2014.

Indian Tribes: The bill gives Indians Tribes the option of carrying out the arsonist registry or allowing other jurisdictions to carry it out for them.

## **BACKGROUND**

Arson is the crime of unlawfully setting a fire, which can be motivated by a variety of reasons ranging from spite and revenge to financial profit. It poses a significant threat of death or serious bodily injury as well as the extensive financial cost of damaged property. The Santiago Fire that occurred in Orange County in October 2007, destroying more than 25,000 acres of land and numerous homes, is believed to be an arson-caused fire.

According to the Department of Justice’s 2004 Uniform Crime Report, conviction rates in the U.S. for arson crimes are among the lowest of any major crime – 17.1 percent.

## **COST**

The Congressional Budget Office had not scored this legislation at the time of publication.

## **STAFF CONTACT**

For more information or questions please contact Shea Loper at (202) 226-2302.